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His Majesties Gracious Proclamation, for Ordering the Prosecution of all Rebels and their Resettlers, for holding Justice-airs, and admitting Rebels not Heretors, to take the Test, &c.



H A R L E S by the Grace God, King of Great-Britain, France, and Ireland, Defender of the Faith: To

Our Lyon King at Arms, and his Brethren Heralds, Maces, Purfervants, and Messengers at Arms, our Sheriffs in that part, conjunctly, and severally, specially Constituted Greeting: Forasmuch, as We by our Gracious Letter, under Our Royal Hand, directed to our Privy Council, Dated at Our Court at New-Merca, the twentie first day of March last, did signify how well We were satisfied with the Account We had lately received of the State of Affairs in this Our Ancient Kingdom, and with the successful Methods Our Council had fallen upon, for settling the Peace therein, and reducing People to Order and Conformity; and in this Exigence, did think fit it should be made known to Our People by Proclamation, that though We have been too often induced to grant Indempnities and Indulgences, and other Favours, to that Phanatick and disaffected Party, which (as Time and Experience have shewn) had no other Effects then to encourage them to further Disorders, and embolden them to abuse Our Royal Goodness, whatever fair hopes were given Us at the procuring of them; yet it was still, and is now more then ever Our Royal Inclination, and firm Resolution, to extirpate and root out these Seditious and Rebellious Principles, and to maintain the Church-Government as it is Established by Law: And seeing We are now fully perswaded, that it is neither difference in Religion, nor tenderness of Conscience (as is pretended) but merely Principles of Disloyalty, and Disaffection to Us and Our Government, that moves them (under pretext of Religion) to disturb the Quiet of Our Reign, and Peace of this Our Ancient Kingdom: Therefore We do strictly Require Our Privy Council, and all Our Judges and Magistrates, to put the Laws vigorously in Execution against all Persons, who, since Our late Indempnity, have been, or shall be hereafter, found guilty of any Phanatical Disorders or Irregularities, (especially those who continue obstinate in them.) And seeing We are informed, that several of Our Subjects are so Disloyal to Us, and Inhumane to their Country, as to harbour, reſet and entertain the Disturbers of its Peace, open and declared notour Rebels and Traitors: We do therefore likewise Command, that all such Persons as are, or shall be found guilty of Resetting, Maintaining, Harbours, Intercommuning, Converſing with, or doing Favours to Persons who are Forefaulted, Traitors, or denounced and regiſtrat at the Horn for Rebellion, be pursued before Our Justice Court, and punished as Traitors according to Law. And though all persons guilty of Resetting, Maintaining, Harbours, Intercommuning, Converſing with, or doing Favours to notour and known Rebels, that have actually been in the Rebellion, (albeit neither Forefaulted as Traitors, nor denounced and regiſtrat at the Horn for Rebellion) may be also punished with the pains of Treason. Yet lest any of our Subjects may have fallen unhappily into that Mistake, because of the great number of Rebels that for several Years have haunted and frequented some parts of our Western and Southern Shires, We in Our Royal Prudence and Clemency, Recommend to Authorize and Impower Our Privy Council, that as they shall see cause, they may give Warrant to, and command Our Advocate to cause Summon and Cite before them, such Persons as they have reason to suspect, to be guilty of the Crimes of Resetting, Maintaining, Harbours, Intercommuning, Converſing with, or doing Favours to any notour or known Rebels, that have been actually in the Rebellion; and which Rebels have not been Forefaulted as Traitors, or denounced and regiſtrat at the Horn for Rebellion, before the time those Persons Resetted, Harboured, Maintained, or Intercommuned, Converſed with, or did them Favour: As also all Persons guilty of Intercommuning, or Converſing (even with Forefaulted Rebels, or denounced or regiſtrat at the Horn) occasioned by chance and accident; And We do Authorize and Impower Our Privy Council to judge them upon Probation of Witnesses, or Oath of Party, as they shall see most convenient for Our Service; and in case they refuse to Depone, or to appear when cited personally, or at their Dwelling-Houses, or at the Mercat Croſs of Edinburgh, Peer and Shoar of Leith, if out of the Kingdom, to hold them as confest, and to restrict the ordinary pains of Treason, to Banishment, Fining, or other Arbitrary Punishment. Likewise, We do hereby Declare, that such Persons so judged by our Privy Council, shall upon Absolvitor, or satisfying of the Sentence, be as fully Secured and Indemnified, as to these Crimes, for which they shall be so judged by them, as if they had a particular Remission for each of these Crimes, under Our Great Seal: And being also perswaded that Our Privy Council will use all Diligence, to bring to condign Punishment, such who deserve the same, and desirous to secure Our Subjects; We do declare, that after the space of three Years, from the first of January 1684, no new Process shall be raised, nor any Person pursued (save only such as have been Cited within the foresaid time, upon the Head of Resetting, Maintaining, Harbours, Intercommuning, Converſing with, or doing favours to Forefaulted Rebels, or others, Acted, done, or committed at any time preceding the first of May, 1683. We do also likewise give to Our Privy Council full Power and Authority, when they shall find it necessary for Our Service, to Commissionat such as they shall think fit in the respective Shires, for Judging those they have not time or conveniency to call before themselves, and are guilty of Resetting, Maintaining, Harbours, Intercommuning, Converſing with, or doing favours to Persons who are notour, and known Rebels, and who have been actually in the late Rebellion, though not Forefaulted, nor denounced and regiſtrat at the Horn for Rebellion: As also, all Persons guilty of Intercommuning, or Converſing, even with Forefaulted Rebels, or denounced, and regiſtrat at the Horn, occasioned by chance and accident, and that in the same way, and with the same Powers that We have hereby allowed to Our Council: And because several of Our Commons that were engaged in the late Rebellion, may have (through Ignorance) lost the benefit of Our Indempnity, by not taking the Bond in due time, and are yet desirous to return to their Duty: We do declare, that all such who shall take the Test, before Our Privy Council, or Our Justiciary, or any Commissionat by the Council, any time betwixt this and the first of August next, shall, and are hereby declared to be as sufficiently Indemnified, as they would have been, if they had taken the Bond in due time. And for that effect, and for punishing such as refuse, thus to be Reclaimed. We do hereby also Order, That Circuit Courts be holden in Our Western and Southern Shires, and other places needful in the Months of May, June, July, or August next; and that after Our Council hath caused take up exact porteous Rolls of all such who are guilty of, or accessory to the late Rebellion, that have not the benefit of Our general Indempnity, or special Remissions, or are otherwise cleared and acquitted by Law, their Names, after they shall be denounced Fugitives, be Printed, Published, and affixed upon all the Mercat Croſses within this Kingdom, to the end all our dutiful Subjects may know, both whom to shun, and whom to apprehend. After all which Declarations of Our Royal Pleasure, We expect that none will dare to adventure to commit any of the foresaid Crimes, being fully resolved, not to shew further Favour or Clemency, to any who hereafter shall be found guilty thereof. Our Will is therefore, and We Charge you strictly and Command, that incontinent, these Our Letters seen, ye pass to the Mercat Croſs of Edinburgh, and to the whole Mercat Croſses of the head Burghs of the Shires and Regalities of this Kingdom, and other places needful, and thereat, by open Proclamation, make publication of the Premises, to the effect all Persons concerned may give Obedience, and conform themselves to Our Royal Pleasure aforesaid. And further, in Prosecution of the Ends and Designs aforesaid; We, with Advice of Our Privy Council, have thought fit hereby to Ordain and appoint Our Circuit Courts of Judicary, to be holden and kept by the Commissioners and Judges thereof, at the Place and Burghs, and upon the days, and for the Shires respective after-specified, viz. at the Town of Strivling the fifth of June next, for the Shires of Strivling, Clackmannan, Kinross, Fife, and Perth, beneath the River of Earn, and the Steuairty of Menteith: at the Town of Glasgow the twelfth day of the said Month, for the Shires of Lanerk, Renfrew and Dumbarton: at the Town of Air the nineteenth day of the said Month, for the Shire of Air, and Jurisdiction within the same, and the Shire of Wigton: at the Town of Dumfries the twentie first day of the said Month, for the Shires of Dumfries, the Steuairties of Kirkcudburgh and Annadale: at the Town of Jedburgh, the third day of July for the Shires of Roxburgh, Berwick, Selkirk, Peebles, and Bailleries of Lauderdale: At the Town of Edinburgh the tenth day of July, for the Shires of Edinburgh, Haddingtoun and Linlithgow. Whereof We Ordain you to make Publication at the Mercat Croſs of Edinburgh, as also at the Mercat Croſses of the head Burghs of the Sheriffdoms of Strivling, Clackmannan, Kinross, Fife, Perth, Lanerk, Renfrew, Dumbarton, Air, Wigton, Dumfries, Jedburgh, Selkirk, Peebles, Dumfries, Lanerk, Haddingtoun, and Linlithgow, where-through none pretend ignorance of the same; that the saids Justice Courts are to be holden upon the days, and at the Burghs and places respective above-written; And that ye Command and Charge, all Arch-bishops, Dukes, Marquesses, Earls, Bishops, Lords Spiritual and Temporal, Barons, and others. Our Free-holders, who hold Lands of Us in Chief, and oweth Sute and Presence within the several Bounds, Shires and Precincts, belonging to the saids respective Circuit Courts, to compare before the saids Commissioners at the saids Courts, upon, and at the days and places aforesaid, with continuation of days, to do whatever in Law is Incumbent, and ought to be done by them in that behalf. As also, that ye Command and Charge all and sundry the saids Dukes, Marquesses, Earls, Lords Spiritual and Temporal: As also, Lords of Regalities, Steuarts, Barons, Sheriffs, Justices of the Peace, Baillies, Chamberlands, Magistrates and Ministers of Our Laws, and all Subordinat Judges within our Sheriffdoms above-written, and whole Leidges of the same, that they, and every one of them give all due Respect to Our Commissioners, and Justices aforesaid, and such special Assistance, as to their Offices and Duties appertains, and as is Incumbent to them by the Laws and Acts of Parliament of this Kingdom, as oft as they shall be required by Our Commissioners, to that effect, as they and every one of them will answer upon the contrary, and under all highest Pain and Charge that after may follow; and particularly, that ye Command Our Sheriffs, that they cause sufficient and legal Men compare before Our saids Commissioners, at such Diets and Places as the Commissioners shall appoint for Affizes and Witnelles, as they shall be Cited to that effect: As also, that the saids Sheriffs and Free-holders within the several Shires aforesaid, meet Our saids Justices at their Entry into the Shire, and convey them into the same, and accompany them during their remaining, ay and while they be received by Our next Sheriff, and his Deputis into the next Shire. And because there has been several great Abuses committed in Taking and Administring the late Bond, appointed by Our late Indempnities, and the Persons intrusted have been frequently imposed upon, by their being induced to admit Persons to take the said Bond under false Names and Designations, and that even many false Subscriptions have been returned through the Collusion of such as were illegally substitute by the Persons intrusted: Therefore We Ordain, that all these Commons who shall apply themselves for having the benefit of the Test, shall take the same, repeating the words upon their Knees, in presence of any two of the Persons after-mentioned, and a Clerk, who are appointed to return the Test so Subscribed, to the Clerks of Our Privy Council, betwixt and the first of September next, with Certificat at the end thereof, Subscribed by any one of the said two Persons, or more present intrusted, and their Clerk bearing the time and place when they did sign the same, and that they knew the Persons Subscribing, to be of the Designations condescended upon, or were credibly informed by Persons they knew, that they were such; and where the Persons could not Subscribe themselves, that they heard them give Direction to two Nottars, to Subscribe for them: And which Test so Subscribed, and returned, and a Certificat granted thereupon, shall be as sufficient to the Subscribers, as if they had Our particular Act of Indempnity. The Persons intrusted by Us, are all Privy Counsellours, Lords of the Session and Justiciary, Captains of Our Forces, and superiour Officers upon the place, Sheriffs, Steuarts and Baillies of Regalities, or their Deputis in their respective Jurisdictions, or Provosts of Burghs Royal, or the Baillies: As also, the particular Persons under-written, viz. John Dalmahoy of that ilk, Sir John Couper of Gogar, the Lord Elebank, William Murray of Spot, Sir William Ruthven of Dunglass, Adam Hepburn of Humby, Sharp of Housfoun, Alexander Miln of Carrin, the Lord Sinclair, Sir Philip Anstruther of that ilk, Lindsay Commissar of St. Andrews, Sir William Sharp of Scotscraig, Sir Alexander Bruce of Broomhall, the Lord of Lie, Sir John Whiteford of Milnour, John Skeen of Halyards in Lothian, Sir Robert Dalzel of Glammie, Sir Robert Grierſon of Logg, Robert Ferguson of Craigdarraich, the Lord Montgomery, the Lord Crighfoun, the Laird of Blair, Sir Archibald Kennedy of Colten, John Boil of Kelburn, James Crawford of Ardmillan, Colquhoun of Luss, John Grahame of Dugalsfoun, the Lord Ross, Thomas Crawford of Cairnburn, Richard Elphinstoun of Airth, Patrick Haddin of Langrig, Alexander Seten of Touch, Mungo Haddin of Glennages, Sir Robert Murray of Abercainey, Sir John Drummond of Machery, John Drummond of Deinstoun, Andrew Lord Rollo, Sir David Dunbar of Baldoon, Hugh Moguffolk of Rusco, Sir Godfrey Mecculloch of Miretoun, Robert Laurie of Maxwelltoun, Ker of Gradine, Lord Jedburgh, John Riddel of Haining, George Pringle of Blindies, Sir James Cockburn of that ilk, Hoom of Limbil, Mr. Harie Hoom of Kames, Sir William Purvos of Purvisshall, Sir William Murry of Stenhop, James Natsmith of Posso, John Veatch of Daick, Alexander Cochran of Barbachly, John Dundas of Mannor, John Skeen of Halyards in Fife, Sir Robert Maxwell of Orcharfdoun, Bruce of Earls-hall, Grahame Cornet, and Mr. David Grahame Quartermaster to the Laird of Claver-house his Troop, Sir Francis Ruthven, Lieutenant to the Laird of Meldrum, Sir William Keith of Ludaquharne his Cornet, and Sir James Douglass of Kelhead. And to the Effect, that the Persons allowed to take the Test, may have convenient Opportunities for taking the same, We do Require the Persons aforesaid, appointed for Administring the Test, to meet amongst themselves, and condescend upon frequent Dyets and Meetings, at convenient places, and that they cause make timeous and publick Intimation thereof at Paroch Kirks, and other places needful, that all Persons concerned may know when and where to attend; and if any of the Persons Commissionat to Administrat the said Test, have not taken the same themselves, We appoint them first to take it in presence of some of those above-mentioned, who have formerly taken the same before they administrat it to others; The which to do, We commit to you, conjunctly and severally, Our full Power, by these Our Letters, delivering them by you, duly executed, and indorsed again to the bearer.

Given under Our Signet, at Edinburgh, the thirteenth day of April, One thousand six hundred eighty and three: And of our Reign, the thirtieth fifth Year.

Per actum Dominorum Secreti Concilij.

WIL. PATERSON, Cls. Sti. Concilij.

G O D save the K I N G.